

Hon. Robert S. Lasnick

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

THE THOMPSONS FILM, LLC,

Plaintiff,

v.

DOES 1-194

Defendants.

NO. 2:13-CV-00560-RSL

NOTICE OF AVAILABILITY OF JOHN
DOE 128 TO PRESENT ARGUMENTS

On May 9, 2013, the Court issued its Order to Show Cause and Quashing Subpoenas (Dkt. No. 7), which, *inter alia*, quashed all outstanding subpoenas in this matter and ordered Plaintiff to show cause as to why the Court should not sever and dismiss all Doe Defendants except for the first listed Doe. Plaintiff filed its Response (Dkt. No. 18) and supporting Declaration (Dkt. No. 19) to the Court's Order on May 23, 2013.

Notice of Availability to Present Arguments
(2:13-CV-00560-RSL)- 1

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1 The Court has not requested or set a schedule for any Defendant or other interested party
 2 to present arguments relevant to joinder. Moreover, neither the Court's Order nor Plaintiff's
 3 Response or supporting documents raise the issue of whether Plaintiff has demonstrated, or can
 4 demonstrate, "good cause" sufficient to justify early discovery in this matter. Accordingly, John
 5 Doe 128¹ respectfully gives notice that John Doe 128 reserves all applicable defenses and
 6 arguments, including improper joinder and lack of "good cause" for early discovery. Should the
 7 Court find it helpful, John Doe 128 would appreciate the opportunity to present such arguments
 8 prior to any order authorizing continued joinder of Does in this case or reauthorizing Plaintiff's
 9 taking of discovery related to the IP Addresses of John Doe 128 prior to a Rule 26(f) conference.
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 12 Dated this 10th day of June, 2013

13 /s/ Michael P. Matesky, II
 14 Michael P. Matesky, II (WSBA # 39586)
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22 Attorney for Defendant John Doe 128

23
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1 Plaintiff does not identify "John Doe 128" with specificity. For purposes of this Notice, "John Doe 128" refers to
 25 the named subscriber on the internet service account associated with IP Address 24.20.100.147.

CERTIFICATE OF SERVICE

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Dated this 10th day of June, 2013

/s/ Michael P. Matesky, II
Michael P. Matesky, II

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Notice of Availability to Present Arguments
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